GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA

UNSTARRED QUESTION NO:1618
ANSWERED ON:06.03.2000
FOREST LAND TO THE TRIBALS
K. MURALEEDHARAN

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether the Government propose to give Forest Land on lease to the tribals for cultivation;

(b) if so, the criteria fixed by the Government for the purpose; and

(c) the total area of land allocated to the tribals particularly in Wayanad District of Kerala so far?

Answer

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS

(SHRI BABU LAL MARANDI)
(a) & (b) As per the provisions of the Forest (Conservation) Act, 1980 which came into effect on 25.10.1980, no State Government or other authority can make, except with the prior approval of the Central Government, any order directing de-reservation of forest land and/or its use for non-forestry purposes. The cases in which specific orders for de-reservation or diversion of forest areas in connection with any project including cultivation were issued by the State Government prior to 25.10.1980, the approval of the Central Government will not be necessary. However, any forest land that has been or is being utilised for any non-forestry purpose including cultivation without the approval of the State Government before 25.10.1980 or the approval of the Central Government after 25.10.1980, is illegal and violative of the provisions of the Forest (Conservation) Act, 1980. However, as per various Guidelines & Rules framed under the Forest (Conservation) Act, 1980, a provision exists for regularisation of pre-1980 encroachments where the State Government had taken a decision before enactment of the Forest (Conservation) Act, 1980, to regularise encroachments of eligible category as per the certain criteria evolved by the State Government in accordance with local needs and conditions but could not implement their decision before the commencement of the Act.
(c) As per a proposal received from the Government of Kerala, 28588.159 hectare of forest land which was encroached prior to 1.1.77 in five districts (Idukki, Ernakulam, Thrissur, Pathanamthitta and Kollam), was regularised by this Ministry on 31.1.1995. No proposal for Wayanad district has been received.